

**REMARKS**

Claims 1, 2, 4-9, 30-32 and 34 are pending in this application and are currently rejected. Reconsideration and allowance of the rejected claims are respectfully requested in view of the following remarks.

***Rejections Under 35 U.S.C. § 102 and 103***

Although the Examiner had previously indicated that certain claims were allowable over the prior art of record, after an updated search, the Examiner has now rejected all of the pending claims 1, 2, 4-9, 30-32 and 34 in view of the newly uncovered U.S. Patent No. 6,576,837 (Pimentel) either alone or in combination with references previously of record.

In particular, claims 1 and 2 stand rejected under 35 U.S.C. § 102(a) as being anticipated by Pimentel. Claims 4-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Pimentel in view of US 2004/0239080 (Berrahou et al.). Further, claims 30-32 and 35 (*sic*-34) stand rejected under § 103(a) as being unpatentable over Pimentel in view of U.S. Patent No. 7,108,276 (Schutz et al.). For the following reasons, these rejections are respectfully traversed.

In the rejection of claims 1 and 2 under § 102, the Examiner maintains that the newly cited Pimentel discloses a bracket comprising a base 64, an opening positioned in an internal position in the base, and a plurality of retention members 74 that extend from the base into the opening, the retention members 74 being perpendicular to the base and also being curled in shape to form a surface defining cavity extending perpendicular to the base. Although Pimentel is not a bracket used for an automobile airbag subassembly, the Examiner maintains that a claim

containing a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus if the prior art apparatus otherwise teaches all the structural limitations of the claim (citing MPEP 2114). Thus, the Examiner concludes that Pimentel discloses a bracket having an identical structure as recited in claims 1 and 2.

With respect to dependent claims 4-9, the Examiner recognizes that Pimentel fails to disclose the retention members being stamped from the base and each having first and second legs with each leg having an engagement surface, but maintains that it would have been obvious to modify the bracket of Pimentel with the teaching of Berrahou et al. to include first and second engagement surfaces within a retention cavity.

Finally, with respect to claims 30-32 and 34, the Examiner recognizes that Pimentel fails to disclose the retention members being stamped from the material that is removed to form the inflator opening. However, the Examiner maintains that it would have been obvious to modify the bracket of Pimentel with Schutz et al. to form the retention members in the inflator opening from the stamped material that is removed to make the opening and thereafter bending the retention members into the opening to conserve material usage.

However, independent claims 1, 30, 31 and 34 have been amended in order to more positively recite the airbag subassembly structure so that the Examiner gives this structure proper patentable weight. For example, claim 1 has been amended to recite the "bracket in combination with an airbag subassembly, said air bag subassembly comprising and inflator and a support

structure which forms a portion of a steering wheel subassembly, said bracket comprising...."

The body of claim 1 has been further amended to refer back to the inflator and the support structure in order to breathe life and meaning into the preamble recitations.

Accordingly, claim 1 positively recites the airbag subassembly structure, whereas Pimentel quite clearly relates to an outlet box cover with mounting clips and has nothing whatsoever to do with a bracket in combination with airbag subassembly.

Claim 1 has been further amended to recite that each of said curled retention members comprises a curled inner surface and a curled outer surface, a retention opening which penetrates said curled inner surface and said curled outer surface and communicates with said cavity extending from said base, and a first engagement surface and a second engagement surface defined by side edges of said retention opening. This further patentably distinguishes over the cited references.

With respect to dependent claims 4-9, there is simply no reason to combine the outlet box cover of Pimentel with Berrahou et al., as one of ordinary skill in the airbag art, which is dealing with large dynamic forces, would not look to the teachings of an outlet box cover such as Pimentel where the device is utilized in a static environment once mounted on the wall.

With respect to method claims 30-32 and 34, independent claims 30, 31 and 34 have been amended to more positively recite the airbag subassembly structure, including a reference back to that airbag structure in the body of each of the claims. Also, claims 30, 31 and 34 have been amended to recite that each of said curled retention members comprises a curled inner surface

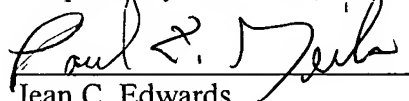
and a curled outer surface, a retention opening which penetrates said curled inner surface and said curled outer surface and communicates with said cavity extending from said base, and a first engagement surface and a second engagement surface defined by side edges of said retention opening.

Accordingly, these claims are likewise patentably distinct with respect to Pimentel, whether taken alone or in combination with the other applied teachings.

If the Examiner believes that there is any issue which could be resolved by a telephone or personal interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Applicants hereby petition for any extension of time which may be required to maintain the pendency of this case, and any required fee for such an extension is to be charged to Deposit Account No. 50-0951.

Respectfully submitted,



Jean C. Edwards

Registration No. 41,728

Paul F. Neils

Registration No. 33,102

**(57362)**

**AKERMAN SENTERFITT**

801 Pennsylvania Avenue N.W.

Suite 600

Washington, D.C. 20004

Telephone: 202-824-1719

Facsimile: 202-824-1791

**Date: October 15, 2008**